

First Supplement to Memorandum 2009-26

**Statutes Made Obsolete by Trial Court Restructuring: Part 5
(Discussion of Issues)**

The Commission received comments on the staff's recommendations set forth in Memorandum 2006-26. The comments are attached as an exhibit.

- Exhibit p.*
- Holly Mikkelson, Spreckels, (06/09/09)1
 - Juliet Viola, Northern California Translators Association
(06/09/09)2

Holly Mikkelson, a certified interpreter and translator, writes that she agrees with the reasoning in the memorandum, and that she concurs with its conclusions and recommendations. Exhibit p. 1.

Juliet Viola, a member of the Northern California Translators Association (NCTA), writes that overall, she agrees with the findings in the memorandum. Exhibit p. 2. She also identifies a number of points with which she agrees. See *id.* Finally, Ms. Viola writes that the NCTA's board agrees with her comments. *Id.*

Respectfully submitted,

Catherine Bidart
Staff Counsel

EMAIL FROM HOLLY MIKKELSON
(JUNE 9, 2009)

Dear Catherine,

Thank you for sending me your memorandum for my comments. I've reviewed the document, and I agree with all of your reasoning. For what it's worth, I concur with your conclusions and recommendations. Feel free to contact me if you have any questions.

Best regards,

Holly

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**EMAIL FROM JULIET VIOLA, NORTHERN CALIFORNIA
TRANSLATORS ASSOCIATION
(JUNE 9, 2009)**

Dear Catherine,

Most likely due to the highly technical nature of the document for review, we did not receive much feedback on the document regarding trial court restructuring. However, I can submit the following comments:

First, I read through the 17-page document, and I'm glad that this statute is being revised since some of the language is indeed very out of date.

Overall, I can say that I agree with your findings. I was particularly glad to see that you correctly use the terms translator (written) and interpreter (spoken).

Re: "court operation"

I agree that for the purpose of the court's determining of funding for payment of fees to translators/interpreters: "translation of a writing is functionally similar to acting as an interpreter." (page 4)

Re: compensation for translation services

I agree that the very outdated wording should be replaced as suggested. That is, I agree with your recommendation that: "The specified fee for translating a document should be replaced by a statement that the amount of compensation for translating a document intended for filing in a court proceeding is to be determined by agreement between the court and the translator." (page 14)

And I agree that all the updates shown on page 16, to ensure the "right to an interpreter throughout the proceedings" are correct and proper.

The board of NCTA concurred with my comments.

Sincerely,

Juliet

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